

MINUTES OF THE PLANNING COMMISSION MEETING HELD AUGUST 17, 2005, AT  
6:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS.

MEMBERS PRESENT: Sue Ryser, Tom Bowen, Jim Keane, Doug Haymore, Gordon Nicholl,  
Geoff Armstrong, Blaine Davis

EXCUSED: City Attorney Shane Topham, JoAnn Frost

STAFF PRESENT: Community Development Director Kevin Smith, City Planner  
Michael Black, Code Enforcement Officer Mike Dolan, Deputy  
Recorder Sherry McConkey, Intern Glen Simes

ALSO PRESENT: Corina Johnson, Majorie Donahue, Shelley Wilson, Tracy Brown,  
Brian Harris, DeVon Curtis, Bertha Curtis, Clair Garner, Marilyn  
Garner, Edward Flint, Stan Davis, Dan Shoell and Jill Johnson.

[6:00:39 PM](#)

Chair Bowen called the meeting to order.

1.0 **PUBLIC COMMENT**

No public comment was given.

2.0 **BUS BENCH PRESENTATION**

2.1 Community Development Director Kevin Smith explained as a new city we need to come up with a standard for the city. One of the decisions that need to be made is whether the city would like to keep that in house or use outside vendors. led a discussion on bus benches and stated the need to go over industries standards.

2.2 Patrick Evans, General Manager of Imaginos ATM Concepts, stated that roughly 97% of the site available in the city would not need a shelter. Mr. Evans passed out a handout with examples of proposed bus benches. This would be available to the city at no cost based on the advertising on the back of the bench and there would be advertising space available to the city at no additional charge. Imaginos will maintain the benches and would stay within the city code in regards to the advertisements. Imagionos would make sure that ADA requirements are met. The benches have a graffiti inhibitor.

Ms. Ryser asked if all the benches were the same design and Mr. Evans replied yes they are.

Patrick Evans stated that they are all the same most benches are 2 foot by 8 foot. His recommendation is a bench that is 24 ½ inches high by 93 inches long. This is the actual advertising spot. The benches also have a graffiti inhibitor that make it more difficult for kids to draw on them and therefore the graffiti is less likely to happen and easier to clean-up.

Mr. Armstrong wanted to know if the benches were tied down and if a new pad was poured.

Imaginos would provide weekly maintenance on all benches.

Mr. Keane wanted to know what the profit is per bench to Imaginos.

Imaginos prices are starting from \$150.00 per month and decrease based on the amount of benches contracted and the length of time on contract. Rate sheets will be provided upon request. The prices are based on a full color advertisements.

Mr. Davis asked if Imaginos had looked at the benches in the city and what is your recommendation.

Patrick Evans would suggest to remove and replace all benches currently in the city. He also stated the benches are out of date and would not pass current standards.

Chair Bowen wanted to know if a bench is available without a full blown advertisement on the back.

Patrick Evans stated that yes he could but would not recommend it.

The advertising would be screened by Imaginos and if there is any question they would bring it to the Planning Commission for approval.

What does the city get out of agreeing to allow your company in and what is the term of the contract?

The contract is five years and the city would get free advertisement.

- 2.3 Brian Harris, General Manager of Artistic Promotions, presented information on his company. Artistic Promotions is located in Cottonwood Heights and has a blanket 2 million dollar liability policy to help protect the city against lawsuits.

Mr. Harris stated his artwork has changed from paint to vinyl which is sealed to the bench. The bench seat would be rounded to make for greater comfort.

Mr. Harris referred to his website [www.cottonwoodheightsadvocate.com](http://www.cottonwoodheightsadvocate.com) to get public comment on his company.

Mr. Davis asked if the existing benches would be replaced?

Brian Harris stated they would probably leave the existing benches with improvements such as a new bench cover and vinyl signage verses paint.

Ms. Ryser asked about maintenance.

Maintenance is currently schedule in 2 week increments however he would increase it if that would get him a contract. They have a 24 hour turn around on complaints.

He would adhere to ADA requirements.

The cost runs \$35.00 per month per bench with a 1 year contract; this may have to be raised with the new materials being used.

Mr. Armstrong asked if the current benches are standard.

Not at this time however they would be brought up to current standard.

Do you have more then one type of bench?

No, we do not.

There would be 20% revenue to the city per year with no out of pocket cost to the city.

The smallest advertisement space would be 2 x 4 ft.

Chair asked if the bench size is the same as the previous company.

Yes, 2 ft by 8 ft.

What is the term?

Year by year.

Advertising is screened by Brian Harris. If there are any complaints he would talk to the person and if he could not rectify he would remove the bench.

How does placement work?

I would speak to the city in regard to placement of benches.

What about Graffiti?

I use a mixture that wipes graffiti right away.

Mr. Keane asked how many would you suggest?

Patrick Evans states 96 and Brian Harris would like to keep the current amount of 150 and not to add more. Brian Harris currently maintains 35 benches.

Chair Bowen asked about the sign ordinance and would like the opinion as to why we should go around that ordinance to allow the advertising on benches.

Tracy Brown, Outdoor Promotions, gave a presentation of

Shelters are \$8000. with a five year contract, benches are power washed once a week and shelters are cleaned once a month.

Benches cost in the ballpark of 1800.

Shelters are lighted

UTA does not have the monies to cover expenses of adding benches to each bus stop and have partnered with them.

The shelter that was displayed had the Cottonwood Heights log on it can it be seen by the traffic?

Yes, these are slanted to be seen by all.

The company would need a minimum commitment of 10 shelters and 25 benches.

The company suggests 150 benches and shelters combined but would work with what the city wants.

This company would be willing to share with other companies to get the business of the city.

The advertising would be screened first by them if any questions they would bring it in front of the council.

This 120 shelters are out at this time.

The revenue is 125.00 per month with 75.00 production cost. The revenue back to the city would be minimum of 7%.

Metro Outdoor Advertising currently owns the benches in Cottonwood Heights with the exception of 35

This is a mesh seat and would be easily maintained.

The shelter presented is 6ft deep by 14 feet long, advertising on one end A frame style with lexan panels.

Toll bar is the manufactures of the shelters. Imaginos uses the same shelters.

Glen Simes gave a presentation for Staff with research on bus benches, bus stops, usage amounts gathered from UTA, cost, and sizes of benches, advertising and the difference in bench styles and materials.

Mr. Haymore asked of the commission if we are looking at RFPs' of RFQs'

**MOTION:** Mr. Haymore made the motion that the bus bench issue be approved tonight. Motion was seconded by Mr. Nicholl.

**DISCUSSION:** Mr. Haymore spoke of making it better for the riders of the City and therefore the city should look at providing more bus stops and shelters as possible.

Mr. Armstrong wants to go off of the usage and control the number of benches out there.

Mr. Haymore would like benches

Ms. Ryser asked if we have an idea of budgets.

Kevin stated we do not have monies allocated at this time and would have to wait until next budget year. However, these might qualify for federal monies.

Mr. Nicholl previously voiced his opinion of having benches without advertising however has since changed his mind. The expense to the city would be too much to absorb and we should look at some advertising. Mr. Nicholl expressed his appreciation for the presentations that were given and is impressed with the materials to be used. The city need to identify the needs of how many.

Chair Bowen expressed his dislike of the typical wood bench style and likes the new look of materials used. Preference is to vote against the motion at this time and would refer it to the Council for further review. He would like to see metal benches and would not want to vote on his tonight without more research.

Mr. Keane do you see the city going out and looking at the city and gettonh an idea of how many benches.

Kevin stated that we should look at usage and base the recommendation on that.

Mr. Nicholl shared usage as important but also distance between benches should be a criteria. He would like to see an estimate of maintenance costs to the city.

Mr. Haymore suggested that a committee be assigned to look into this issue and that the motion should be passed so we can move on to the statute and a RFP.

Chair Bowen would like to the motion to be addressed to staff to look in to this and get more data and would not be opposed if that was the case. They came to the agreement the motion is that

### **MOTION RE-STATED**

Motion move toward the process to have private bidders and after that we find investigate the amounts and at a statute. City funds should not be used for this purpose.

### **Substitute Motion**

Made by Mr. Haymore is to move forward towards statute and RFP seconded by Mr. Nicholl. RFP is for a bid process to private companies. Motion was seconded by Mr. Armstrong.

### **VOTE**

6 for and 2 against

Ryser and Chair opposed the motion

Mr. Davis supports the idea of having private companies come out and take care of the benches and save the monies of the city.

Mr. Armstrong proposes that under 10 person usage should not have a bench and above 30? Should have a shelter.

[7:55:01 PM](#)

### **3.0 CORINA JOHNSON-2751 E. FORT UNION BLVD., ZONE CHANGE**

This was a proposed zone change from R-1-8 to Neighborhood Commercial.

Mr. Black went over the staff report on .29 acres of R-1-8 zone to Neighborhood Commercial. The current zoning of Fort Union is Mixed Commercial.

Staff recommends to approve this with one condition. Parking is would be an issue and the recommendation would be for 7 parking stalls and there is not enough room for the cars to get through the driveway. The driveway currently is 7 ½ feet and the city standard is 12 feet.

The recommendation is to approve the proposal subject to a new parking plan being made before it is presented to the council.

Corina Johnson addressed the commission with Majorie Donahue who is a partner and will be the occupant of the apartment located on the home. Parking is in the back for the two residents of the home. Seven parking spots greatly exceeds the current demand of our business and she would like to put two or three parking spots.

Michael Black brought to the attention of the commission that the Parking Generation was used to research the amount of parking spots. Between 6 and 7 slots available based on the current code.

There is 32 feet from the sidewalk to the home. This information came from the contractors.

The city engineer and Michael Black went out to the site and measured and cannot see a way to place 7 slots safely. However, if Ms. Johnson can provide this information Staff would vote to approve.

Questions from the commissioners

POINT OF ORDER: Mr. Haymore feels that this is entirely premature and suggest that this be tabled until information is available to support this. Chair Bowen agrees that this is premature and should not have been brought to this meeting. If we are talking about a Zone Change that is one thing.

Staff brought this to the board due to the application of a zone change and the potential issue of parking.

Ms. Johnson asked what the requirements are for Neighborhood Commercial. Michael Black will give a copy of this policy.

Commission would like to see a design from an engineer to show how the parking would be placed. Ms. Johnson stated that this information and not been available to her and was not available on the website.

MOTION:

Mr. Haymore made the motion to table this item.

Chair Bowen stated there were people here to voice there options and they should be heard since they are here.

Michael Black stated they Corina Johnson has met all requirements to re-zone this property.

Mr. Smith stated the requirements have been met and that this is a procedural issue.

Bertha Curtis spoke and she lives on the opposite side of this property. She is opposed to this re-zone. She would not like a sign placed because this would be the beginning to the end of her neighborhood and the road is busy enough. I have lived here for 30 years and we do not want to move to a new home that is overpriced.

The maximum size of a sign would be

Clare Garner lives across the street and speaks of the traffic in Fort Union and is opposed to this business being granted to to the increased risk of traffic issues.

DeVon Curtis, there is no parking available on the street and therefore is opposed to the re-zone.

Marge Donahue, Corina Johnson's partner this is not a business that has frequent traffic it is a quiet business and has very little traffic.

**MOTION:**

Mr. Haymore made the Motion to defer this to staff.

No second was made due to the issues at hand this matter was tabled.

There is a zone process and a conditional use process that should be followed and this is not a issue that should be brought to the commission.

Motion was withdrawn

MOTION by Nicholl

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Table discussion until the applicant returns with proper information supporting the parking plan.

Seconded Mr. Davis

Voted in favor by Nowen, Ryser, Armstrong

Opposed by Haymore and Keane

4.0 **APPROVAL OF MINUTES**

Barney Carlson density of nine units was discussed and tape needs to be reviewed



Minutes approved based on suggested change to August 3<sup>rd</sup> minutes. Minutes were to vague.

July 20<sup>th</sup> need to add Gordon Nicholl

**5.0 Presentation on Design Guidelines for Gateway**

Mr. Black presented suggestions of shopping centers that were The gateway is Highland and Fort Union. Commission liked the presentation ideas for the gateway and suggested a digital format be available with captions so people will know what they are looking at. The commission would like a architectural design that is unique to our city.

**6.0 Review of Accessory Apartment Ordinance**

This item will be tabled for a future meeting due to time.

**7.0 Other Business-(Reports by Commissioners)**

**8.0 Community Development Directors Report**

1300 E and Creek Road a contractor has proposed a development of 240 condominiums in Sandy City. The developer has asked to speak to the city and will be noticed out to the neighborhood. There was discussion regarding the other homes in the area and were told the developer has bought. The theatres are on the other side. As soon as more information is available Kevin will let the commission know.

[9:07:40 PM](#)

**Motion to adjourn**

**Made by Chair**

**9.0 Adjourn**

